




Help the Hearing Officer

- ◆ It isn't difficult to qualify staff as experts
- ◆ Advocates can qualify staff as "experts"
- ◆ Experts can make a big difference in "he said – she said" cases

We'll see a video later today


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Reviewers

- ◆ Question the documents and physical evidence (in the file)
- ◆ Is it relevant?
- ◆ Is it reliable?

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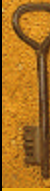
Reviewers

RELEVANCY

- ◆ How does the document prove a particular element?
- ◆ What is it supposed to convey?
- ◆ How does it improve conveyance of the facts of the case?

e.g., ENF letters are generally irrelevant...
to prove facts of a case

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Reviewers

RELIABILITY & CREDIBILITY

- ◆ Who took photos, drew diagrams, etc.?
- ◆ Who collected physical evidence?
- ◆ Are those people going to be at the hearing?

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Reviewers

- ♦ Check to make sure the section is “citable” in a SCP action (or ACP action)

<http://www.cdpr.ca.gov/docs/enfcmpli/admndocs/citsec.pdf>


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Other Issues – Time Permitting

- ♦ Preponderance of the Evidence
- ♦ Substantial Evidence Test
- ♦ Statute of Limitations


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New!!

- ♦ Model Brochure
- ♦ Hearing Officer Sourcebook
 - Sourcebook will have a “script” for getting the hearing started
- ♦ Elements of Violation Worksheets for frequent citations

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THANK YOU

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